

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

JAMES DEAN FOUNTAIN,

Plaintiff,

v.

RAYMOND PETERSON,
and JAMES SMITH,

Defendants.

CASE NO.: 7:21-CV-120 (WLS)

ORDER

The Court enters this Order to notify the Defendants that their DVD containing exhibits A through G regarding their Motion for Summary Judgment (Doc. 40) for the above-styled case has been received.

Recently, Judge Gardner's chambers reached out to the Undersigned's chambers regarding a letter by Defendants' Counsel, dated June 27, 2024, as well as an enclosed DVD that were addressed to Ms. Felicia Rushing, who is Courtroom Deputy for Judge Gardner. Said letter refers to a matter titled, Porter v. Maxwell, case number 1:20-cv-202, which was presided by Judge Gardner. The letter further states that Defendants have filed a motion for summary judgment on June 27, 2024, and that certain exhibits had to be hand delivered to the Clerk's Office because they were recorded on a DVD. Thus, Judge Gardner's staff recently delivered the letter and DVD to the Undersigned's chambers, explaining that it appears that the letter appears to be for the Undersigned's case, Fountain v. Peterson et al, 7:21-cv-120.

Upon review of the letter and the DVD, the Court finds that the exhibits contained in the DVD are indeed for the Motion for Summary Judgment (Doc. 40) that was filed in the instant matter on June 27, 2024. Moreover, the docket for Porter v. Maxwell, 1:20-cv-202, shows that the case closed pursuant to a stipulation of dismissal back in February of 2023, which further supports that the letter and the enclosed DVD are actually meant for Ms. Gloria

Anderson, the Undersigned's Courtroom Deputy, in regard to Defendants' Motion for Summary Judgment (Doc. 40) that was filed on June 27, 2024.

No further action needs to be taken—the Court enters the instant Order to notify Defendants that their letter and enclosed DVD have been received by the Undersigned. But if either Party has a different view or wishes to object, then an appropriate motion must be filed **not later than seven (7) days**. If no response or objection is filed, the referenced exhibits will be considered submitted as noted without objection.

SO ORDERED, this 24th day of July 2024.

/s/ W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT